

Virginia Information Technologies Agency
For use with Public-Private Education Facilities and Infrastructure Act
(PPEA) Proposals

Request for Proposal/Public Notice Inviting Competing Proposals

In the event the Virginia Information Technologies Agency (VITA) issues a RFP to invite proposals under the PPEA, or VITA receives an unsolicited proposal that it decides to accept and consider, VITA will advertise for proposals, or post notice inviting competing proposals in accordance with the *Public-Private Education Facilities and Infrastructure Act of 2002* and the, *Commonwealth of Virginia Procedures dated December, 2002*. (Model Procedures.), which have been adopted.

The RFP or Public Notice inviting competing proposals will be advertised in newspapers having general circulation, eVA and the VBO as prescribed in the Public-Private Education Facilities and Infrastructure Act of 2002 and the Model Procedures.

Factors Used in Evaluating Proposals

The factors used by VITA in evaluating any proposal received in response to an RFP or Public Notice will be those stated in the *Public-Private Education Facilities and Infrastructure Act of 2002* and the Model Procedures. It is not necessary that these factors be advertised or included in the RFP, as it is incumbent upon potential proposers under the PPEA to be well versed in the Code of Virginia and the Model Procedures and to familiarize themselves with the requirements included therein.

Presentations and Other Information

VITA may invite, or allow if requested, presentations or provision of other requested or supplemental information. It is not required that presentations be invited and/or allowed. VITA may determine that there is sufficient information available to evaluate a proposal without presentation.

Selection of Proposer(s)

VITA may determine in its sole discretion that one or more proposers based on the factors outlined in the Model Procedures are fully qualified and best suited.

Negotiation

In order to avoid exposing the private sector to significant costs associated with moving to the Detailed Phase (also referred to as Phase 2) of the PPEA submission process, VITA will attempt to identify a single firm deemed most suitable and fully qualified in their sole discretion to recommend moving to the Detailed Phase. In the event that only one first is selected to move forward to the Detailed Phase, other proposers also deemed

qualified (but not selected as most suitable) may be asked to stand by while the Detailed Phase is undertaken by the selected firm, and subsequent negotiations relative to the Comprehensive Agreement are held. However, VITA may also select two or more proposers to move forward to the Detailed Phase, as appropriate.

If, for any reason, negotiations with the one or more selected proposers fail, VITA may ask other proposers to move through the Detailed Phase and into negotiations, until such time as a Comprehensive Agreement is successfully negotiated.

In the event that one firm cannot initially be identified as fully qualified and most suitable, more than one firm may be asked to move forward to the Detailed Phase. Further comparison and evaluations may be made by VITA of the information presented at the conclusion of the Detailed Phase, and at the election of VITA and based on the specifics of each case, VITA may negotiate with one or more proposer until a Comprehensive Agreement is successfully negotiated.